

OCT 10 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

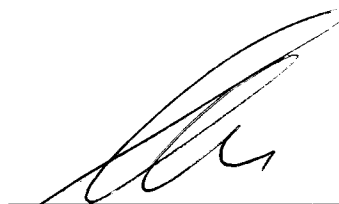
JULIA C. DODLEY, CLERK
BY: 
DEPUTY CLERK

ROGER DARNELL WHITING,)	
Plaintiff,)	Civil Action No. 7:13cv00466
)	
v.)	DISMISSAL ORDER
)	
INMATE MR. TUCKER,)	By: Samuel G. Wilson
Defendant.)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Whiting's motion to proceed *in forma pauperis* (ECF No. 2) is **GRANTED**, this action is **DISMISSED** without prejudice for failure to state a claim on which relief may be granted under 28 U.S.C. § 1915(e)(2)(B)(ii), and the Clerk of Court is **DIRECTED** to **STRIKE** this action from the active docket of the court.

The Clerk of the Court is directed to send copies of this Order and accompanying Memorandum Opinion to the parties.

ENTER: This 10th day of October, 2013.



United States District Judge